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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/627,194	07/27/2000	Kiyoshi Ozaki	1324.64545	1269

7590 04/12/2002  
Patrick G Burns Esq  
Greer Burns & Crain Ltd  
Sears Tower Suite 8660  
Chicago, IL 60606

EXAMINER

NGUYEN, HOAN C

ART UNIT PAPER NUMBER

2871

DATE MAILED: 04/12/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

### DETAILED ACTION

Applicant amends claims 3, 6 and 7 and submits new claims 13-15.

Applicant reclaims the inventorship. The ONLY sole inventor Kiyoshi Ozaki in the present application, the other jointed inventors have been deleted.

### *Election/Restrictions*

This application contains claims directed to the following patentably distinct species of the claimed invention:

*given* A. Claim 3 drawn to a step of forming a bypass for a broken gate line by separating the gate line from or connecting the gate line to at least two of the following: a drain electrode, a source electrode, a pixel electrode and storage capacitor line.

B. Claim 6 drawn to a step of forming a bypass for a broken gate line by forming an alternative conductive path through a pixel electrode and a source electrode.

C. Claim 13 drawn to a step of forming a bypass for a broken gate line by connecting gate line to a pixel electrode and storage capacitor line.

D. Claim 14 drawn to a step of forming a bypass for a broken gate line by connecting a gate line to a source electrode and pixel electrode.

E. Claim 15 drawn to a step of forming a bypass for a broken gate line by connecting a gate line to a pixel electrode and drain bus line.

NOTES:

(1) Claim 3 cites a step of forming a bypass for a broken gate line by separating the gate line from or connecting the gate line to at least two of the following: a drain electrode, a source electrode, a pixel electrode and storage capacitor line. It does not make any sense if

- a step of forming a bypass for a broken gate line by connecting the gate line to
  - a drain electrode and a source electrode; or
  - a drain electrode (normally data line) and a pixel electrode; or
  - a drain electrode and a storage capacitor line.
- a step of forming a bypass for a broken gate line by separating the gate line from a source electrode and a pixel electrode or storage capacitor line.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, the amended claim 3 considers being generic of the amended claim 6 and the new claim 13 and 14.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a)

Amended claims 3, 6 and new claims 13-15 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: Amended claims 3, 6 and new claims 13-15 now include a limitation "forming a bypass for a broken gate line by separating the gate line from or connecting the gate line to a pair (at least two) of (a) a drain electrode and a source electrode, or (b) a source electrode and pixel electrode or a gate line to a pixel electrode and drain bus line (or drain electrode) or a drain electrode and a source electrode" etc. etc., which was not originally presented. As originally presented, the Examiner has considered and examined only the originally presented claims, which have "forming a bypass for a broken gate line by separating the gate line from or connecting the gate line from or to (each of) a drain electrode or a source electrode of TFT or a pixel electrode or storage capacitor line" (claim 3) and "forming an alternative conductive path through a pixel electrode" (claim 6).

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, Amended claims 3, 6 and new claims 13-15 are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by

a diligently-filed petition under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(h).

Furthermore, in previous Response to Election of Species Requirement on 1/21/2003, applicant's election without traverse of Species A (claims 1, 2, 3, 6 and 7) in Paper No. 16 is acknowledged. Applicant cancelled claims 1, 2, 4, 5 and 9-11 in Paper No. 17 (2/17/2003).

Since claim 7 depends on claim 6, therefore, it also is withdrawn from consideration as being directed to a non-elected invention of claim 6.

### **Conclusion**

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to HOAN C. NGUYEN whose telephone number is (703) 306-0472. The examiner can normally be reached on MONDAY-THURSDAY:8:00AM-4:30PM.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0530.

HOAN C. NGUYEN  
Examiner  
Art Unit 2871

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August 8, 2003